



## Legislation Details (With Text)

**File #:** RES PH 18- 17 **Version:** 1  
**Type:** Resolution-Public Hearing **Status:** Passed  
**In control:** City Council  
**Final action:** 1/17/2018

**Title:** Approving adverse action against the Cigarette/Tobacco license held by Blue Store St Paul at 879 Fremont Avenue.

**Sponsors:** Jane L. Prince

**Indexes:**

**Code sections:**

**Attachments:** 1. Notice of Council Hearing with Affidavit of Service.pdf, 2. Uncontested License Matter Coversheet.pdf, 3. License Group Comments Text from ECLIPS System.pdf, 4. February 3rd 2017 Notice of Violation with Affidavit of Service.pdf, 5. February 10th 2017 Email indicating \$500 matrix penalty payment.pdf, 6. September 22nd 2017 Notice of Violation with Affidavit of Service.pdf, 7. October 12th 2017 Email indicating \$1000 matrix penalty payment.pdf, 8. Tobacco Compliance Check Purchase form with photographs dated December 18th 2017.pdf, 9. Notice of Violation - Notice of Intent to Suspend License with Affidavit of Service dated December 28th 2017.pdf, 10. January 4th 2018 Email from licensee requesting a public hearing.pdf, 11. SPLC Section 324.07.pdf, 12. SPLC Section 310.05 (m).pdf, 13. SPLC Section 310.06.pdf

Date	Ver.	Action By	Action	Result
1/22/2018	1	Mayor's Office	Signed	
1/17/2018	1	City Council	Adopted	Pass

Approving adverse action against the Cigarette/Tobacco license held by Blue Store St Paul at 879 Fremont Avenue.

WHEREAS, the Cigarette/Tobacco license held by Blue Store St Paul d/b/a Blue Store St Paul (License ID #20090000478) for the premises located at 879 Fremont Avenue in Saint Paul was the subject of a Notice of Violation and Notice of Intent to Suspend License ("Notice") sent December 28, 2017; and

WHEREAS, the Notice stated that an inspector from the Department of Safety and Inspections (DSI) was contacted by the Minnesota Department of Revenue concerning flavored tobacco products they found during an inspection of the licensed premises on December 18, 2017; and

WHEREAS, the inspector came to the licensed premises to join the inspection and documented with photographs five (5) boxes of flavored Hemp tobacco products displayed for sale in violation of Saint Paul Legislative Code §324.07(f); and

WHEREAS, this was the third (3<sup>rd</sup>) violation of the license conditions within the past eighteen (18) months; and

WHEREAS, per Saint Paul Legislative Code § 310.05 (m) (1), the licensing office recommended a \$2,000.00 matrix penalty and a ten (10) day suspension of the Cigarette/Tobacco license; and

WHEREAS, the licensee responded to the Notice of Violation and Notice of Intent to Suspend License with a request for a public hearing which was then scheduled on January 17, 2018; so therefore be it

RESOLVED, Blue Store St Paul d/b/a Blue Store St Paul is hereby ordered to pay a \$2,000.00 matrix penalty for offering five (5) boxes of Hemp flavored tobacco products for sale in violation of Saint Paul Legislative Code § 324.07 (f). Payment of such penalty shall be made within thirty (30) days of the date of the adoption of this resolution.

FURTHER RESOLVED, the Cigarette/Tobacco license held by Blue Store St Paul d/b/a Blue Store St Paul is hereby suspended for a period of ten (10) days. Said suspension will begin at 12 (midnight) on Wednesday, February 7, 2018 and end at 11:59 p.m. on Friday, February 16, 2018.